

1 DAVID L. NEALE (SBN 141225)
2 IRV M. GROSS (SBN 53659)
3 TODD M. ARNOLD (SBN 221868)
4 LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.
5 10250 Constellation Boulevard, Suite 1700
6 Los Angeles, CA 90067
7 Telephone: (310) 229-1234
8 Facsimile: (310) 229-1244
9 Emails: dln@lnbyb.com; img@lnbyb.com; tma@lnbyb.com

10 Counsel for Plaintiff

FILED CLERK, U.S. DISTRICT COURT
12/9/13
CENTRAL DISTRICT OF CALIFORNIA
BY: CS DEPUTY

11 **UNITED STATES BANKRUPTCY COURT**

12 **CENTRAL DISTRICT OF CALIFORNIA**

13 **LOS ANGELES DIVISION**

14 CV13-9072-JGB

15 In re:

16 CT-1 HOLDINGS, LLC,

17 Case No. 2:10-bk-19927-BR

18 Chapter 11

19 Debtor.

20 Adv. No. 2:13-ap-1281-BR

21 SCREEEN CAPITAL INTERNATIONAL
22 CORP., derivatively on behalf of the estate of
23 CT-1 HOLDINGS, LLC,

24 **NOTICE OF APPEAL**

25 Plaintiff,

26 v.

27 INTERMEDIA FILM EQUITIES USA, INC.,

28 Defendant.

29 PLEASE TAKE NOTICE THAT Plaintiff Screen Capital International Corp.,
30 derivatively on behalf of the estate of the above-captioned debtor, appeals from the "Order
31 Granting Defendant Intermedia Film Equities, USA, Inc.'s Motion to Dismiss Plaintiff's
32

1 Complaint" entered by the Bankruptcy Court on November 18, 2013 (the "Order"). A copy of the
2 Order is attached hereto as Exhibit "1."

3 The parties to the Order appealed from and the names and addresses of their respective
4 attorneys are as follows:

5 Parties	6 Represented By:
6 Plaintiff Screen Capital International Corp, 7 derivatively on behalf of the estate of the above-captioned debtor	7 David L. Neale Irving M. Gross Todd M. Arnold Levene, Neale, Bender, Yoo & Brill L.L.P. 10250 Constellation Blvd., Suite 1700 Los Angeles, CA 90067 Telephone: (310) 229-1234 Facsimile: (310) 229-1244
11 Defendant Intermedia Film Equities, USA, 12 Inc.	12 Alex M. Weingarten Eric J. Bakewell Logan M. Elliot Vartanoush M. Defterderian Weingarten Brown LLP 10866 Wilshire Blvd., Suite 500 Los Angeles, CA 90024-4340 Telephone: (310) 229-9300 Facsimile: (310) 229-9380 17 Victor A. Sahn Steven F. Werth SulmeyerKupetz A Professional Corporation 333 South Hope Street, 35 th Floor Los Angeles, CA 90071-1406 Telephone: (213) 626-2311 Facsimile: (213) 629-4520

22 Dated: December 2, 2013

23 LEVENE, NEALE, BENDER, YOO
24 & BRILL L.L.P.

25 By: /s/ Todd M. Arnold
26 DAVID L. NEALE
IRV M. GROSS
TODD M. ARNOLD
Counsel for Plaintiff

EXHIBIT "1"

1 DAVID L. NEALE (SBN 141225)
2 IRV M. GROSS (SBN 53659)
3 TODD M. ARNOLD (SBN 221868)
4 LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.
5 10250 Constellation Boulevard, Suite 1700
6 Los Angeles, California 90067
7 Telephone: (310) 229-1234
8 Facsimile: (310) 229-1244
9 Emails: dln@lnbyb.com; img@lnbyb.com; tma@lnbyb.com
10 Counsel for Plaintiff

FILED & ENTERED

NOV 18 2013

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY fortier DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re: Case No. 2:10-bk-19927-BR

CT-1 HOLDINGS, LLC, Chapter 11

Debtor. Adv. No. 2:13ap-01281-BR

SCREEN CAPITAL INTERNATIONAL
CORP., derivatively on behalf of the estate of
CT-1 HOLDINGS, LLC,

**ALTERNATE ORDER GRANTING
DEFENDANT INTERMEDIA FILM
EQUITIES USA, INC.'S MOTION TO
DISMISS PLAINTIFF'S COMPLAINT**

Plaintiff,

Hearing

Date: October 15, 2013

Time: 10:00 a.m.

Place: Courtroom "1668"

255 East Temple Street
Los Angeles, CA 90012

v.

INTERMEDIA FILM EQUITIES USA INC,

Defendant.

A hearing was held at the above-referenced date, time and location to consider the motion (the “Motion”) of Defendant Intermedia Film Equities USA, Inc. (“Intermedia”) to dismiss Plaintiff Screen Capital International Corp.’s complaint against Intermedia. Appearances were made as set forth on the record of the Court.

Upon consideration of the Motion, all supporting and opposing documents, and argument, IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED for the reasons stated on the record of the Court.
 2. Defendant Intermedia and all claims against it are DISMISSED WITH PREJUDICE.

10 IT IS SO ORDERED.

#

Date: November 18, 2013

Dan Russell

Barry Russell
United States Bankruptcy Judge

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*): **ALTERNATE ORDER GRANTING DEFENDANT INTERMEDIA FILM EQUITIES USA, INC.'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT** was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner stated below:

1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF) Pursuant to controlling General Orders and LBRs, the foregoing document was served on the following persons by the court via NEF and hyperlink to the judgment or order. As of (date) October 29, 2013, the following persons are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email addresses stated below.

David E Ahdoot on behalf of Interested Party Courtesy NEF
dahdoot@bushgottlieb.com, jpalmer@bushgottlieb.com

Todd M Arnold on behalf of Plaintiff Screen Capital International Corp., derivatively on behalf of the estate of CT-1 Holdings, LLC
tma@lnbyb.com

Eric J Bakewell on behalf of Defendant Intermedia Film Equities USA, Inc.
ejb@wbllp.com, vmd@wbllp.com;lme@wbllp.com;aw@wbllp.com;slc@wbllp.com;docket@wbllp.com

Jacqueline L James on behalf of Plaintiff Screen Capital International Corp., derivatively on behalf of the estate of CT-1 Holdings, LLC
jlij@lnbyb.com, marla@lnbyb.com

David L. Neale on behalf of Plaintiff Screen Capital International Corp., derivatively on behalf of the estate of CT-1 Holdings, LLC
dln@lnbrb.com

United States Trustee (LA)
ustpregion16.la.ecf@usdoj.gov

Steven Werth on behalf of Defendant Intermedia Film Equities USA, Inc.
swerth@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com;slee@sulmeyerlaw.com

Service information continued on attached page

2. SERVED BY THE COURT VIA UNITED STATES MAIL: A copy of this notice and a true copy of this judgment or order was sent by United States mail, first class, postage prepaid, to the following persons and/or entities at the addresses indicated below:

Service information continued on attached page

3. TO BE SERVED BY THE LODGING PARTY: Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete copy bearing an "Entered" stamp by United States mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following persons and/or entities at the addresses, facsimile transmission numbers, and/or email addresses stated below:

Service information continued on attached page

1 This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

2 June 2012

F 9021-1.1.NOTICE.ENTERED.ORDER

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 10250 Constellation Boulevard, Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF APPEAL** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) **December 2, 2013**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

David E Ahdoot on behalf of Interested Party Courtesy NEF
dahdoot@bushgottlieb.com, jpalmer@bushgottlieb.com

Todd M Arnold on behalf of Plaintiff Screen Capital International Corp., derivatively on behalf of the estate of CT-1 Holdings, LLC
tma@lnbyb.com

Eric J Bakewell on behalf of Defendant Intermedia Film Equities USA, Inc.
ejb@wbllp.com, vmd@wbllp.com;lme@wbllp.com;aw@wbllp.com;slc@wbllp.com;docket@wbllp.com

Jacqueline L James on behalf of Plaintiff Screen Capital International Corp., derivatively on behalf of the estate of CT-1 Holdings, LLC
jlj@lnbyb.com, marla@lnbyb.com

David L. Neale on behalf of Plaintiff Screen Capital International Corp., derivatively on behalf of the estate of CT-1 Holdings, LLC
dln@lnbrb.com

United States Trustee (LA)
ustpregion16.la.ecf@usdoj.gov

Steven Werth on behalf of Defendant Intermedia Film Equities USA, Inc.
swerth@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com; slee@sulmeyerlaw.com

2. SERVED BY UNITED STATES MAIL: On (date)) **December 2, 2013**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

N/A

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL
(state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on
(date) December 2, 2013, I served the following persons and/or entities by personal delivery, overnight
mail service, or (for those who consented in writing to such service method), by facsimile transmission
and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or
overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

1 **Served By Personal Delivery**

2 The Hon. Barry Russell
3 United States Bankruptcy Court
4 255 East Temple Street
5 Courtroom 1668
6 Los Angeles, CA 90012

7 I declare under penalty of perjury under the laws of the United States that the foregoing is true and
8 correct.

9 December 2, 2013
10 Date

11 Lourdes Cruz
12 Printed Name

13 /s/ Lourdes Cruz
14 Signature

15 This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

16 June 2012

17 **F 9013-3.1.PROOF.SERVICE**